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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/733,727	12/08/2000	Kenneth F. Carpenter	UV-177	2492

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EXAMINER

HOYE, MICHAEL W

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/733,727

Applicant(s)

CARPENTER ET AL.

Examiner

Michael W. Hoyer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-16,18,19,21-33,35,36,38-50 and 52-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-16,18,19,21-33,35,36,38-50 and 52-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on February 21, 2006 has been entered.

Response to Arguments

2. Applicants' arguments with respect to claims 1, 2, 4-16, 18-19, 21-33, 35-36, 38-50 and 52-54 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claims 13, 53 and 54 are objected to because of the following informalities:
- Claim 13 has a minor typographical error in line 1 where the letters "m ethod" should be --method--.
 - Claim 53 is currently listed as being dependent on claim 34, which is now a canceled claim; it appears that claim 53 should be dependent on claim --18--.
 - Claim 54 is currently listed as being dependent on claim 51, which is now a canceled claim; it appears that claim 54 should be dependent on claim --35--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 4-8, 16, 18-19, 21-25, 33, 35-36, 38-42, 50 and 52-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Legall et al (USPN 6,005,565), cited by the Examiner.

As to claim 1, note the Legall et al reference which discloses a method for providing a search feature in an interactive television program guide (see the Abstract and Fig. 3B). The claimed wherein the interactive program guide is implemented at least in part on user television equipment and supports at least one supported application running at least in part on the user television equipment is met by an electronic program guide (EPG) that may be generated on the display 322 (Fig. 3A), which may be part of a television and/or processing device 326 and supports the use of various applications including a search engine 306 (see Figs. 1, 3A and 3B; col. 3, lines 11-27, and also see col. 2, lines 7-25). The claimed displaying an interactive television program guide comprising a list of resources including at least a program guide database and the Internet is met by Fig. 3B, which shows the display of an EPG and further includes a list of resources 341 including a EPG database and the Internet or WEB. The claimed receiving an indication to perform a search on at least the program guide database and the Internet from a user is met by selecting both the EPG and WEB (or Internet) selections 341 as

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shown in Fig. 3B (see col. 3, lines 11-17 and 37-40, also see col. 2, line 64 – col. 3, line 4). The claimed receiving search criteria from the user is met by a user establishing the search criteria by entering or selecting various terms, topics and/or selections as shown in Figs. 2, and 3B (see col. 2, line 26 – col. 4, line 15). The claimed searching the program guide database and the Internet based on the search criteria is met by col. 2, line 64 – col. 3, line 4. The claimed displaying the results of the search from the program guide database and the Internet is met by col. 2, lines 38-59 and col. 4, line 35 – col. 5, line 21 (also see Figs. 2 and 3B) where the results are displayed as described in the section cited above.

As to claim 2, the claimed receiving the indication comprises receiving the indication from a supported application is met by receiving the indication from the power search application as shown in Fig. 3B and as described in col. 2, lines 60-66).

As to claim 4, the claimed receiving the indication comprises receiving the indication from a user input device is met by user input device 115 as described in col. 2, lines 26-28 and 64-66.

As to claim 5, the claimed receiving with the interactive television program guide a first indication to go back to a previously accessed resource is met by the “Back” button as shown in Figs 2 and 3B, where the user may go “back” across multiple resources or may access previously accessed resources (see col. 4, lines 45-48 and col. 2, lines 26-37). The claimed receiving with the interactive television program guide a second indication to go back to another previously accessed resource is met by the Legall et al reference as described above. The claimed providing with the interactive television program guide the previously accessed resource in response to the first indication to go back to the previously accessed resource; and providing with the interactive

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television program guide another previously accessed resource in response to the second indication to go back to another previously accessed resource is also met by the Legall et al reference as previously described above, where the user may go “back” across multiple resources.

As to claim 6, the claimed receiving with the interactive television program guide an indication to go forward to the previously accessed resource; and providing with the interactive television program guide the previously accessed resource in response to the indication to go forward to the previously accessed resource is met by the “forward” function as shown in Figs. 2 and 3B, and as described in col. 4, lines 45-48 and col. 2, lines 26-37.

As to claim 7, the claimed receiving a first indication to access a history feature is met by a user selecting the “Recent” selection as shown on the right side of the display shown in Fig. 3B (also see col. 2, lines 26-37 and col. 4, lines 45-48 as previously described above). The claimed receiving a second indication to access the inter-resource history feature; providing a history list of a plurality of resources that includes the first resource in response to the first indication to access the inter-resource history feature; and providing the history list of a plurality of resources that includes the second resource in response to the second indication to access the inter-resource history feature is met by the “Recent” selection as described above and by what resources the user selected such as the “EPG” source and/or the “WEB” source as described above in claim 1.

As to claim 8, the claimed receiving an indication of a particular resource of the history list is met by the “Recent” selection as described in claim 7 above, where one or more previously or recently viewed or searched resources may be listed or indicated for selection. The claimed providing the resource in response to the indication is met by the user may go forward or back

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across the multiple displayed resources as shown on the display window and may select the resource (col. 4, lines 42-48 and col. 2, lines 26-37).

As to claim 16, the claimed receiving an indication to provide an extras display; providing the extras display in response to the indication, wherein the extras display includes one or more features; receiving an indication for a feature of the one or more features; and providing the indicated feature of the one or more features is met by the various on screen display selections or “extras” as shown in window 375 of Fig. 3B of Legall et al (see col. 3, lines 11-56), which includes one or more features such as “HELP”, “DOWNLOAD”, “ATTRACTIONS”, “GOODIES”, “FAVORITE”, “RECENT”, “POWER SEARCH”, etc.

As to claim 52, the claimed providing a user with an opportunity to enter one or more keywords from a search display; and advancing a list of search results to display applications from at least one resource that match the one or more keywords is met by the Legall et al as previously described above in claim 1 (see Figs. 2 and 3B).

As to claims 18-19, 21-25, 33 and 53, the claims are rejected based on similar grounds as the rejection of claims 1-2, 4-8, 16 and 52 respectively.

As to claims 35-36, 38-42, 50 and 54, the claims are rejected based on similar grounds as the rejection of claims 1-2, 4-8, 16 and 52 respectively.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 9-15, 26-32 and 43-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Legall et al, in view of Youman et al (USPN 5,629,733), previously cited by the Applicants.

As to claim 9, the claimed receiving an indication to schedule a reminder for a first resource; providing a first reminder for the first resource; receiving an indication to schedule a reminder for a second resource; and providing a second reminder for the second resource is not explicitly disclosed by the Legall et al reference. The Youman et al reference specifically teaches an interactive television program guide system where one or multiple reminders may be scheduled for multiple resources, including programs and/or Pay-Per-View (PPV) events (see Figs. 13-14 and 23; col. 14, line 44 – col. 15, line 17 and col. 18, lines 43-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the Legall et al reference, which discloses searching multiple resources including the EPG and Internet, with the additional teachings of the Youman et al reference which teaches setting reminders for different resources for the advantage of notifying or reminding a user when a event is about to occur. One of ordinary skill in the art would have been led to make such a modification since scheduling reminders is well known in the art of interactive television distribution.

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As to claim 10, the claimed method defined in claim 9, wherein the first reminder for the first resource and the second reminder for the second resource are provided in a combined reminder list is met by the Youman et al reference as described above in claim 9, where multiple reminders for current and upcoming events or resources may be shown and listed on the display (see col. 15, lines 10-13).

As to claim 11, the claimed method defined in claim 9, wherein providing the first reminder for the first resource comprises providing features in the first reminder based on a first type; and providing the second reminder for the second resource comprises providing features in the second reminder based on a second type is met by providing features in each reminder based on the type of resource as shown in Figs. 13-14 and 23 of Youman et al and as previously described above in claim 9.

As to claim 12, the claimed receiving an indication to make a first resource a favorite resource; receiving an indication to make a second resource a favorite resource; including the first resource in a favorites list; and including the second resource in the favorites list is met in part by Figs. 2 and 3B of Legall et al where a "Favorite" selection is listed. However, the Legall et al reference does not explicitly disclose the details of the "Favorite" selection as shown. The Youman et al reference specifically teaches an interactive television program guide system where one or multiple different favorite or preferred channels from different categories (i.e. all, movies, news and sports) and/or resources or services (i.e. Broadcast, Cable, Premium and PPV) may be indicated or selected and accessed through a list on a display (see Figs. 7-8 and 37; col. 25, line 23 – col. 29, line 53). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the Legall et al reference, which discloses

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searching multiple resources including the EPG and Internet, with the additional teachings of the Youman et al reference which teaches setting favorites for different resources for the advantage of allowing a user to quickly locate and view a favorite resource. One of ordinary skill in the art would have been led to make such a modification since indicating or setting favorite resources is well known in the art of interactive television distribution.

As to claim 13, the claimed method defined in claim 12, further comprising providing an opportunity to select a resource from the favorites list; and providing the first resource in response to a selection of the first resource from the favorites list is met by the Youman et al reference as described above in claim 12.

As to claims 14 and 15, the Legall et al reference discloses EPG rating selections 345 as shown in Fig. 3B. However, Legall et al does explicitly disclose the claimed “parental controls”. The Youman et al reference teaches an electronic television program guide schedule system and method for use with different resources that further teaches or includes the use of “parental controls” (see Figs. 7, 30, 39-40B, and 41). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the method of providing inter-resource features in an interactive television program guide as disclosed in the Gagnon et al reference with the additional teachings of parental control features as taught by the Youman et al reference for the advantage of providing limited or restricted access to objectionable content as determined by other individuals such as parents, guardians or other adults. One of ordinary skill in the art would have been led to make such a modification since parental control features, including v-chip technology, is well known in the art of interactive video distribution systems, and more specifically interactive television program guide technology, in order to provide

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parents better control over the content and material that their children may be viewing by providing additional filtering or blocking of unwanted content.

As to claims 26-32, the claims are rejected based on similar grounds as the rejection of claims 9-15 respectively.

As to claims 43-49, the claims are rejected based on similar grounds as the rejection of claims 9-15 respectively.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

LeGall et al (USPN 6,081,263) – Discloses an electronic program guide (EPG) system with additional Internet capabilities.

Schein et al (USPN 6,002,394) – Discloses an EPG where a search may be performed using the EPG databases and/or the Internet.

Schein et al (USPN 6,263,501) – Discloses an electronic program guide (EPG) where a search may be performed using the EPG databases and/or the Internet.

Wehmeyer (USPN 6,169,543) – Discloses an interactive television system which includes an interactive search system where a user may perform searches using different resources including television programming and the Internet.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael W. Hoyer whose telephone number is **571-272-7346**.

The examiner can normally be reached on Monday to Friday from 8:30 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at **571-272-7353**.

Any response to this action should be mailed to:

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **571-272-2600**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

Michael W. Hoyer
May 13, 2006



JOHN MILLER
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